IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF ALABAMA SOUTHERN DIVISION

JAMES CROSBY, JIMMIE GARDNER,)
and WILLIE SMITH,)
)
)
Plaintiffs,)
v.) CIVIL ACTION NO. 04-0144-CG-M
)
)
MOBILE COUNTY, <u>et al.</u> ,)
)
Defendants.)

DECLARATORY JUDGMENT

In accordance with the court's order entered this date, granting plaintiff's motion for declaratory judgment, it is hereby **DECLARED** that:

Jack Tillman, while Sheriff of Mobile County, engaged in discriminatory conduct in violation of Title VII, 42 U.S.C. § 2000e, et seq., by illegally considering race when deciding whether to promote Jimmie Gardner to the position of Sergeant.

DONE and ORDERED this 14th day of November, 2007.

/s/ Callie V. S. Granade
CHIEF UNITED STATES DISTRICT JUDGE